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General Manager

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Federal Communications Commission
Office of Secretary

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March 18, 1999

The Honorable William E. Kennard, Chairman
Federal Communications Commission
Washington, D.C. 20554

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Dear Chairman Kennard:

I applaud you for the bold steps which you have taken to diversify the airwaves to minorities, religious groups and small businesses interested in broadcasting to the American public. I support the rationale embodied in the initiatives which have served as a driving force for the NPRM and hope that LPFM succeeds.

Back in October of 1998, I filed an application with the FCC for an experimental FM broadcast license under the name Incom, LLC. Many of the particulars of the experiment proved to be pertinent to the issues raised by the Commission in the pending NPRM-9242 for low power FM. Since that time, I have twice travelled to Washington: first to meet with Mass Media Bureau Chief Roy Stewart and subsequently to meet with Legal Assistants from each of the Commissioners' Offices as well as your office.

The results of the meetings have been mixed. The Mass Media Bureau expressed reluctance in approving the application unless the experiment was endorsed by the Commissioners. MMB's reluctance centered around anticipated concerns from the broadcast industry over LPFM. In contrast, my meeting with the Commissioners' Offices was very positive and there was great interest expressed in the experiment. In the six weeks since then, however, there has been little progress made as responsibility for acting on my application has been passed from MMB to the Commissioners' Offices back to MMB.

Chairman Kennard: I really want to work with the FCC to help LPFM become a reality. I am not a large corporation or national organization. I am, however, an African-American who is very interested in the outcome of the LPFM proceedings and am convinced of the spectacular impact it will have on communities across the country. In good faith, I have met with various individuals at the FCC and have had several telephone conversations. To date, I have spent over \$20,000 on the development and processing of the application in legal fees and travel expenses. I have mobilized a team of technical resources to carry out the experiment in consideration of the short time frames which we will have to gather information. I am willing to modify the scope of the experiment to incorporate some of the additional concerns (e.g. IBOC). My concern, however, is that the proper dialogue required to get this application granted is not taking place.

The information which will be gathered from the proposed experiment will be quite useful to the Commission to address the obstacles anticipated for the creation of LPFM. Incom wants to document interference created and received by the proposed LPFM service. We want to detail LPFM's economic viability given the usefulness of its comparatively small service areas in contrast to that of full power stations. We seek authorization so that we can help fill the gaps in the records of the proceedings and thus ensure the creation of the LPFM service.

Presently, activity on the application is at a standstill. I am asking for your help so that we can secure approval on the application. Ben Perez who serves as my legal counsel requested a meeting with you earlier last week and I - by virtue of this letter - am doing the same. I will call your office early next week to arrange a convenient time.

Sincerely,

Mark Blake

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cc: Susan Fox